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PORTO RICO AS A NATIONAL PROBLEM

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I

To refer to Porto Rico as a national problem demanding attention as something of important national concern may seem perhaps rather strange. How can Porto Rico be a national problem at all for the United States? The answer to this question will seem perhaps rather difficult to the average person, but that is probably because after the acquisition of that Island from Spain nearly twenty-two years ago, the people in this country have busied themselves with so many important and pressing national and international problems which demanded attention, that nearly everyone almost have forgotten our existence. So to the average person it will be a matter of speculation to determine what are the elements which enter into this extraordinary and never heard of problem.

As a matter of history, the American people have given very little attention to Porto Rico or its inhabitants. I do not say this as a reproach, I simply state it as a fact. The general inference in this country is that the government of the United States is doing for them what is right. It is generally surmised that our present condition, politically, economically and even socially, is by far superior to the condition we ever enjoyed under the rule of Spain. All these things undoubtedly are true. I could enlarge upon them and show with quite reliable data, statistics and documents that our present government, our finances, our agriculture, our industry, our commerce are all immensely better. Our external trade has increased so much that it seems almost an exaggeration to mention it. From

\$17,000,000 in 1901, it has jumped to the almost incredible amount of \$142,000,000 in 1919, which is nearly one thousand per cent. It may be well to mention that of this large trade the United States absorbs over 80 per cent, namely, \$129,000,000 which exceeds the normal trade of this country with Russia, Spain, the Philippines, or any Latin American country except Argentina, Brazil, Chile, Cuba or Mexico. It is almost as large as the trade of this country with China, or the combined trade of Guatemala, Salvador, Honduras, Nicaragua, Costa Rica, Panama, Dominican Republic, Haiti and Bolivia with the United States. This of course shows the commercial importance of Porto Rico to the United States.

In educational matters, the present level of Porto Rico is by far above the one it held under Spain. At that time our educational establishment was poor and largely inefficient; today we have a modern, democratic school system offering free education to the children of the Island and providing at public expense, out of the Porto Rican treasury, teachers, buildings, equipment, books, etc., and although this system of public education is not, as the Governor of Porto Rico says in his latest annual report for 1918-1919, as yet adequate to the great needs of the Island, it constitutes as it stands such an immense advance over what existed at the earlier date that the comparison would be really instructive and inspiring. I will not, however, enter into details. Suffice it to say in this respect that, as stated in the said report, "the number of schools, of children attending school, of school buildings, of teachers and of expenditures for school purposes, have all been multiplied tremendously, and that the overwhelming illiteracy of about 80 per cent of the adult inhabitants has been reduced to probably less than 60 per cent," or, to be more exact, to 54 per cent. "Above all, the variety and character of the education, the spirit and quality of the work done in the schools have been broadened, modernized and liberalized in accordance with the standards and ideals of the twentieth century."

In sanitation, health, police, public works and other branches of the public administration, we certainly have

accomplished a great deal. As to roads, says the governor of Porto Rico in his already mentioned report,

We started in 1899 with 267.4 kilometers of completed insular roads—now we have 1,189.4 kilometers of completed roads. . . . In the twenty years prior to 1899, there were built in Porto Rico 9 kilometers per year. In the past twenty years there have been built 922 kilometers, or an average of 46 kilometers per year. And this same acceleration of progress can be seen in every other detail connected with communications, both internal and external, railroads, trolley lines, telegraph and telephone lines, the cables that land on our shores, the ships that visit our harbors. The ox-carts and coaches of the earlier day have been replaced by trucks and automobiles. In everything that enters into or indicates the life of a people there is to be seen this marvelous change and progress. In the architecture of their homes and hotels, in the number and character of the crowded shops and stores, in the traffic that throngs the busy streets and fine roads, in the voluntary organizations formed for pleasure and for social welfare, and especially in the number and quality of the newspapers that make up the press—in fact in everything one sees, there is written the record and the proof of twenty years of most remarkable progress.

As to sanitation and guarding the public health, it may be said that our record is equally creditable to the change. The whole health service of the Island has been organized and built up. On this particular subject of so much interest to the people of the United States, says the so often quoted report of the governor of Porto Rico:

The modern methods and agencies of guarding the public health have been introduced, such as quarantine, hospital, scientific study of causes, symptoms, treatment, and prevention of disease and the whole medical profession mobilized so as to cooperate in safeguarding the health of the people. Some dreadful diseases such as yellow fever and perhaps smallpox have apparently been permanently banished from the Island, and many others seem to have been brought under definite control.

The death rate has been reduced so that last year, if we set aside the 10,888 victims due to the great epidemic of influenza and its complications, it was only 23.1 per thousand.

In legislative matters, in the enforcement of law and order, and in the administration of justice, we have also made very substantial progress. In municipal administration the showing is simply astonishing. Let me quote once more from the aforesaid report of the governor of Porto Rico. He says on this point:

In 1899, immediately after the change of sovereignty, the credit of the municipalities was so bad that the military governor, Gen. George W. Davis, made the following statement in his report on civil affairs for that year:

"Until municipal government and administration is reformed and elevated to a very much higher plane than now, I see no hope of greatly improved social, domestic, or economic conditions."

The progress made by the municipalities during the twenty years has completely destroyed the distrust expressed in this rather pessimistic statement. The large floating municipal debt, which in 1901 amounted to \$501,128, has completely disappeared, and now all the municipalities close their financial operations each year with cash surpluses on hand, while during the earlier period only debts remained. In further proof of this progress we may mention the extraordinary development of public-service enterprises that have been built, nearly all of them, during this period. In the 75 municipalities of the Island there are now 37 water systems, 8 sewers, 22 markets, 77 slaughterhouses and 52 hospitals.

The present public debt of the Island is a little over \$10,000,000, but for every dollar of this public debt, all created during the last twenty years, as the governor says in his report, Porto Rico has more than one dollar and a half invested in permanent public improvements to show for it. "To be sure," he says, "the surplus of \$5,000,000 had to be invested out of the annual revenues, but a tax system has been created and efficiently administered in order to produce these revenues. Many larger countries not a thousand miles away have four times the public debt and not half as much to show for the money."

We have also developed physically, morally and intellectually. Our standards of living have been greatly improved. Many of the worst vices, such as gambling and the use of alcoholic beverages, which in the earlier period, as the governor says, were openly practised and recognized by law, have now been prohibited by statutes enacted by representatives of the people. Our working classes have been raised a good many degrees from their former level of practical ignorance and neglect: today we have labor legislation which promotes and stimulates a healthy development of labor conditions which affect the entire fabric of our social and economical life as a people. Our professional classes have been enlarged and increased in numbers and in effi-

ciency and usefulness to the community. Even our own politicians seem to be doing quite well. On the whole it may be said that we have improved in every possible sense; in the home, in the church, and in the community at large. We certainly are better off today than we were under the rule of Spain; we are better men; we are better Christians; we are better citizens.

And yet, may I not quote a few further sentences from the official report of the governor of Porto Rico, to which I have made so much reference above, in order to show a condition which seems to me to be quite important for the proper presentation of my subject? In that report of the governor of Porto Rico, who is a native of Old Kentucky, and who, therefore, may be supposed to be quite truthful in the matter, it is said:

In short and in fine, these two decades of progress made by Porto Rico under the American flag taken all together, constitute a record which I believe can not be equaled by any people anywhere in the world in the same length of time. It is a record creditable alike to the Porto Ricans themselves, and to the great free Republic to which they owe allegiance. Much of it is due to the liberality and generous aid of the great American Government and people, but most of the credit is due to the splendid coöperation of the Porto Ricans themselves. Without their coöperation little of this progress could have been made. But the people of the Island have eagerly availed themselves of every opportunity offered them for improvement. With patriotic devotion to their Island and with a real aspiration for progress, they have made quick response to all the changes that were necessary for development. In politics and government, in education, in commerce and industry, in social and moral improvement, they have offered their coöperation and aid to the forces that have made for betterment. This is the simple truth as to the past, and this is the best augury for the future.

Now, the point which I wish to emphasize at this time is this, that in twenty years of American administration in the Island, in twenty years of continuous schooling, in twenty years of earnest endeavor, and in twenty years of bitter experience and hard work, we have made such strides in the direction of our own development and the practice of self government, that the very thing which at first every one thought to be a matter of fifty, seventy-five or perhaps

one hundred years has been practically accomplished already in the course of two mere decades, in a score of years. No one could claim today with any degree of impartiality and truthfulness that we are not fully prepared to take upon our own shoulders the serious responsibilities of a completely self governing people. By the guidance, and help, and example of the American people, we have already attained that condition of social, economical and political development, which entitles us to manage at least our own internal affairs. We feel therefore that we have already attained our political majority; and just as any normal boy, upon becoming of age, wishes to go out into the world to face and solve by himself his own problems of life without parental dictation, interference or caprice; we too, as a normal people, strongly feel that we ought to be permitted to face and solve our own Porto Rican problems in our own Port Rican way without governmental dictation or interference from the United States. And this is clearly a very natural feeling. It is not that we be ungrateful or rebellious any more than a son who wishes to live his own life and asks to be permitted to do so. He does not wish to alienate his parents' affection; he does not mean to love them any the less. It is that he hears the call of his own nature, of his own Maker, urging him to work out by himself his own destiny, his own salvation.

I should not like to give the impression that we are rebels, for we are not. Our devotion to this great republic has been already shown during the last twenty years, and especially during the great emergency of the world war. Our record during that terrible conflict ought to convince the most sceptical and cynical of our loyalty to the United States. In that emergency readily and gladly we put all our resources and man power to the service of the United States. We actually contributed over 16,000 soldiers who were about to leave for Europe when the armistice was signed, and if the war had continued a little longer we probably would have contributed nearly 30,000 or 40,000 more; our contribution in this respect was nearly as large as the contributions of all the territories and the District of

Columbia combined; we actually contributed nearly \$13,000,000 as our subscription to the liberty loan bonds, which was greatly in excess of our quota fixed by the treasury department; we engaged in and generously donated large sums of money for all sorts of war activities, and actually made a better showing than the territories and a good many of the states. We certainly are very proud of our record in this, as in other respects.¹

The thought which I really wish to convey is that we have already acquired that high degree of development when no moral reason exists for subjecting us any longer to the present state of governmental control by the United States. We have undoubtedly reached a point beyond any possible expectation; we have already acquired the clear consciousness of being a distinct and characteristic Porto Rican people, capable, intelligent, patriotic and able to assume and discharge the obligations and duties of our own government. We wish to be masters of our own affairs, insofar as it may be consistent with the circumstances and the equities of the situation. In this, I am sure, no one will find anything reprehensible, nor deserving of reproach. That we should wish to live our own mode of life and seek the welfare and happiness of our people in conformity with our natural inclinations, education and temperament, can not surprise anybody at all; for that is a natural aspiration which consciously or unconsciously rules the conduct of all men as well as of all peoples, everywhere. It has been said that this natural aspiration of men and peoples everywhere to choose their own way of living constitutes a right and a principle which can not be transgressed without a clear violation of the laws of nature and the dictates of justice. It may be doubted, however, in the present state of the world, if this right and this principle can always be invoked to settle the relations which must exist between neighboring peoples. Experience is showing us constantly that the contrary is

¹ For a more detailed account of Porto Rico's actual contributions to the world war, and the attitude of its inhabitants towards the United States in this great emergency, see the Report of the Governor of Porto Rico, the Honorable Arthur Yager, for 1917, 1918 and 1919.

the truth. So far as Porto Rico is concerned, I believe that it would be better and more profitable to examine the facts, since the principle, or the aspiration as I should prefer to call it, will be readily conceded by any one as deserving the most solicitous consideration in any intelligent study of the matter.

II

Porto Rico, as it is well known, is one of the so-called Greater Antilles, the smallest of the three; the other two being Cuba and Santo Domingo. It lies between Saint Thomas, which is the most important of the Virgin Islands recently acquired by the United States from Denmark, on the east, and Santo Domingo on the west. The distance of Porto Rico from Saint Thomas is only about 80 miles; in very clear days the mountains of either island can be seen from the other. From the main coast of the United States it is only about 1000 miles. Her position in respect to this country is 1380 miles southeast of New York, which is her principal port of communication with the United States. The distance between Porto Rico and Panama is only 1000 miles. In shape and contour, Porto Rico resembles an irregular parallelogram, and its total area is 3606 square miles. According to the last census, the present population of Porto Rico is over 1,225,000 inhabitants, or an average of 340 per square mile. More than 62 per cent of this population are whites, and less than 38 per cent are colored. The capital of the Island is San Juan, with a population of over 75,000 inhabitants.

In point of discovery, Porto Rico is older than the United States. It was discovered by Columbus on his second voyage in 1493. Its conquest, however, was not begun by the Spaniards until early in the sixteenth century, under the leadership of Don Juan Ponce de Leon, of whom it has been written as an epitaph upon his tomb:

*Nole sub hac fortis requiescunt ossa Leonis
Qui vicit factis nomina magna suis.*

Which freely translated into English means "This narrow grave contains the remains of a man who was a lion by name, and much more so by his deeds."

Since that time until the cession of the Island by Spain to the United States, Porto Rico was a Spanish colony, although for a number of years prior to the cession, it had enjoyed the political status of a Spanish province. Its constitutional unity with the mother country was not attained until 1897, when the so-called "autonomía" or a Spanish system of self-government was extended by royal decree to the Island.²

There is no doubt that the geographical position of Porto Rico is of great military and strategical importance to the United States. We know that it would be useless and absurd to deny this proposition. The importance of Porto Rico has, of course, been, in a sense, reduced by the acquisition of the Virgin Islands by the United States, which offer greater advantages than Porto Rico as a base for military operations from the port of New York to the mouth of the Orinoco. The strategical and military importance of Porto Rico to the United States is not, however, to be measured only by the use which this country may see fit to make of the Island as a naval base for military operations; there is also to be considered, I presume, the possible use which a hostile nation might make of it in case that she could in one way or another gain a foothold thereon. Porto Rico, on the other hand, is included within the region of the Caribbean, which the United States already regard as a sort of national preserve over which they must exercise entire control; and therefore, as a measure of self-defense, and for the purpose of protecting its own military, political and even commercial interests within the Caribbean Sea, which is,

² The basis of this famous decree was a law of reforms passed by the Spanish *Cortes* in 1895, upon the outbreak of the Cuban uprising. A complete translation of this decree will be found in *U. S. Foreign Relations*, 1898, pp. 636-644. For an account of the government of Porto Rico under Spain as well as a detailed consideration of this decree, see an article which I contributed to *The Hispanic American Historical Review*, for November, 1919, entitled "Some Historical and Political Aspects of the Government of Porto Rico."

so to speak, the Mediterranean of America, must always, whatever the political condition of Porto Rico may be now, in the past or in the future, regard with deep concern and solicitude everything which may in any way affect the destinies of that Island.

Before the acquisition of Porto Rico by the United States as a direct cession by Spain stipulated in Article II, of the Treaty of Paris, there is no doubt that it had always been the policy of the United States to maintain the status quo in the Island so far as questions of sovereignty were concerned; that is to say, the United States always had preferred that Spain should continue to exercise her rights of sovereignty and proprietorship over Porto Rico. This was so, perhaps, because from that nation they apprehended the least danger to their own interests, and because they did not feel quite well disposed to complicate their own national and international problems with the acquisition of a territory and a people totally foreign to their own. But let that be as it may; the historical fact which we must bear in mind is that the policy of the United States in respect to Porto Rico was never, prior to the Spanish American war, a policy founded on the desire of acquiring that Island for their own national aggrandizement. For obvious reasons they could not have viewed with either indifference or equanimity the transfer of Porto Rico to any other power; nor would they have the Island and its people established under an independent government of their own, for the reason that it was considered at the time that the native inhabitants of the Island, as well as the Cubans, were not then sufficiently prepared to assume and discharge the duties and responsibilities pertaining to a self-governing people. The United States therefore were compelled to adopt the policy of the Status quo as the best course to be followed in the matter, and thus whether willingly or unwillingly they always maintained that policy and permitted for nearly a century that Spain should continue to exercise her sovereignty and control over the Island.

It would be really interesting and quite pertinent to the subject of this paper to enter into a detailed examination of

the historical origin of the present relations of Porto Rico and the United States previous to the Spanish American War, and then coming down to the causes which brought about that extraordinary conflict, enter into the consideration of the reasons which the United States had for changing their traditional policy in respect to that Island and demand the cession thereof from Spain as a condition *sine qua non* of peace, in order to show that the cession was not really demanded for the purpose of national aggrandizement; nor as a mere compensation for or an equivalent to the expenses, losses and sacrifices borne by the United States in the successful prosecution of that war; nor even as part consideration for the sum of twenty million dollars paid by the United States to the old mother country to allay her pain for the loss of the Philippines; but rather for the purpose of putting an effective end to the Spanish domination in our continent in order to prevent an almost certain recrudescence of the old Spanish methods of government, which might culminate in another war of liberation in behalf of the Porto Rican people. But however interesting or pertinent this study may be in the consideration of my subject, I must leave it for some other occasion in order not to make this paper inordinately too long.

So far as the purpose of the United States in demanding the cession of Porto Rico is concerned, it would seem that some other means could have been found which would not have lent itself so easily to misinterpretation and doubt, since it really appears rather anomalous and paradoxical that, as a result of a war undertaken in the name of humanity, civilization, liberty and right, Porto Rico and its people should have been handled like mere chattels from one sovereignty to another without a proper regard for their real wishes in the matter. It would have been enough, perhaps, that Porto Rico should have followed the same fate as Cuba, and for this purpose it would have been sufficient to demand that Spain should only relinquish, instead of ceding to the United States, her claims of sovereignty and government in the Island, as it was done in respect to Cuba. This stipulation would have accomplished the purpose of

expelling Spain entirely from America, and at the same time would have given to the United States freedom of action to deal with Porto Rico, free from the constitutional entanglements which gave rise to the doctrine of non-incorporation elaborated by the present Chief Justice of the Supreme Court, Mr. White, in the famous *Insular Cases*.³

But no one seems to have thought of this practical solution at the time. The explanation is to be found, perhaps, in the fact that Porto Ricans were not then in arms against Spain; nor were they exteriorizing at that juncture any collective desires of acquiring their independence as a people, probably because our principal leaders realized the practical impossibility of the thing, and because, perhaps, the brand new "autonomia" which Spain had just implanted in the Island had had the effect of quieting down the unrest among the people and smothering their political aspirations to an independent life and government. On the other hand, it is to be taken into account that Spain had cleverly fomented, through all sorts of intrigues, since the emancipation of her former colonies in the Western Hemisphere, the preposterous proposition that the native inhabitants of the Island were neither capable or prepared for self-government, and the American people, who had always rejected, as a matter of national policy, the possibility of our independence, fearful of a repetition of the afflicting scenes which had taken place at different periods in the history of a neighboring Island, easily believed what Spain had so repeatedly asserted in that respect, and figured that the only reasonable way out of the complicated dilemma was to demand an absolute cession of the Island in order to prevent embarrassing situations and avoid complications of an international nature.

To this might be added that the native inhabitants of Porto Rico had received the American forces of invasion with such real and sincere demonstrations of approval and

³ These cases, as well as the doctrine of non-incorporation have been extensively examined by the present writer in a series of articles in the *American Journal of International Law*; see especially the July number for 1919, pp. 483-525.

rejoicing—because they did not come to Porto Rico as conquerors but as fellow Americans and liberators—that the good American people, logically and naturally reasoned—because this was so pleasing and flattering to their national pride—that Porto Ricans would welcome American rule in the Island with the same alacrity, with the same satisfaction, enthusiasm and joy as they had welcomed the American troops. And that, in a sense, was true. But should it not be mentioned, at the same time, that the Porto Rican people, regardless of party affiliations or distinctions of any kind, were then under the impression, and firmly believed it as well, because of the study they had made of American history and institutions, and because also of the declarations of the American commanders, that Porto Rico would be instantly considered and held to be a regular territory of the United States, and eventually admitted into the Union as a full-fledged state thereof, upon an equal footing with the other states, as had been the custom in this country until then? To this solution of our political status no intelligent and honest Porto Rican would have made then any real opposition; nor do I believe that any one with common sense and having at heart the prestige, welfare and happiness of our people would oppose it even now, if the United States should conclude to adopt this one as the best solution of the Porto Rican problem. The proof that at that time at least such was the mental attitude of Porto Rico is that immediately after the cession formally stipulated in the protocol of Washington of August 12, 1898, the newspaper *El Liberal*, which used to be the organ of the most important Porto Rican party of that time, changed its name for *El Territorio* which means “The Territory,” and shows conclusively that the leaders of even that party, which was genuinely Porto Rican, took it for granted and accepted it, that the solution of statehood was the only logical and possible solution of our status.

And it could not be otherwise; because, leaving aside the constitutional history of this country in that respect until then, which perfectly warranted such an impression and belief, what greater honor, what greater glory, what greater

happiness and blessings could befall us than to be considered an integral part of the Union, as a state thereof? It would be as if the American people had called to the Porto Rican people and said to them: "Come and share with us the great responsibilities of our government; come and share with us the serious duties of working out the destinies of this great nation, the greatest and most powerful nation of the universe; come and share with us the noble and beautiful task of upholding and maintaining everywhere the government of the people by the people and for the people; come and be one of us!"

Ah, that would have been, that was in reality our great political aspiration; that was our golden dream; that was our childish expectation of that remote epoch!

The United States, however, were very intent upon some other things which were then demanding their earnest attention. In acquiring Porto Rico they only had the immediate purpose of liberating it from Spain, but in reality they did not know then, nor do they know now, what they were going to do with the Island and its inhabitants. To be sure, the acquisition of Porto Rico was a very desirable thing from both a military and a commercial point of view; but no one seems, in point of fact, to have had any definite idea as to the precise political relations which were to exist in the future between the newly acquired territory and the United States. And it was perfectly rational that those who were at that time in charge of the government of this nation should feel greatly concerned as to the manner in which they were to deal with the new acquisitions. As to the Philippines there was a more or less manifested popular sentiment against their permanent incorporation into the United States, it being preferred that they should be kept outside the constitutional unity of the nation. It was apparent, however, that as a constitutional proposition, any rule that should be adopted as to the Philippines must necessarily be applied also to Porto Rico and thus, finally, our Island become a sort of an experimental station where the constitutionality of the exclusion of the Philippines should be tried out and tested.

On the other hand, our leaders impressed and astounded with the entirely unforeseen developments which had taken place in the Island, had not judged the occasion propitious or desirable at that tragical moment in our history, at the time of the cession, to put forth any claims to this or that particular solution of our future political status, whether within or without the United States, which might hinder the American people in their wonderful work of liberation; and although we were not consulted as to our real and legitimate desires or self-determination in the matter, we had full confidence in the honesty of purpose of this country, and firmly believed that the cession would not be for the aggrandizement of the United States, but for our mutual benefit, and that it would not only put an end to the obnoxious rule of Spain in the Island, but also open to our people a new political horizon, a new era of honor and progress and happiness; a new collective life, not as a mere colony which we had been under Spain in spite of our political status as a province, but as a sovereign state of the Union, some time in the near or the distant future, as a people masters of our own internal affairs and indissolubly united to the American people with the honorable bands of a common constitution and a common government and purpose in everything national.

A few months later, however, after the acquisition, and when the ink on the Treaty of Paris, by which the cession had been accomplished, was scarcely dried on the paper, the Supreme Court of the United States, hopelessly divided in opinion, established, for the first time in the constitutional history of this country, a terrible distinction between those territories which were held to have been incorporated into the United States by the will or consent of Congress, and those other territories newly acquired by the treaty making power or otherwise which had not yet been incorporated into the United States. The former were held to be integral parts of the United States, while the latter were said to be mere territorial possessions, or, more accurately, in the words of the Court, territory *appurtenant* and belonging to the United States. And in this manner

Porto Rico was held to be included within the last classification, that is to say, that the Island is no part of the United States but a mere subject of property, something which the United States owns to do with as it shall see fit, and thus, substantially, that Porto Rico is beyond the pale of the Constitution in the sense that it is not operative in the Island, except insofar as it may deprive Congress of power to do some specific thing—a political status theoretically inferior to the one we had under Spain.

This decision, it is needless to say, was not at all satisfactory and had a very distressing effect upon our people. It was really disappointing, and did cause among us a feeling of hurt to our pride, and to our national “*amour propre*” as a people. But the most lamentable thing about this decision is that it brought to our people a complete disorientation as to our political aspirations, placing us in a situation of uncertainty as to the real intentions of the American people in respect to our future relations. Thus we have divided in opinion, and can only wonder what the ultimate decision may be upon this matter.

There is no question that the new constitutional doctrine of incorporation, or non-incorporation, formulated by Mr. Justice White in the Insular Cases was clearly advisable and even necessary as a constitutional asset for the ready solution of a multitude of problems which soon became apparent in the proper management of the Philippine Islands and even perhaps in Porto Rico; there is no question that such a doctrine is very desirable and even commendable as providing, very wisely and properly, for the contingencies of the future in the development of what another great American jurist had been pleased to call a good many years earlier the “American Empire.” Furthermore, that doctrine was in reality the handmaid of a wise and judicious solution of the problem involved in the future disposition to be made of the Island and its inhabitants. But that decision was not well understood in Porto Rico as it was not well understood outside of the Island, and it has caused a great deal of harm to our people. We feel just like a man lost in the woods, at the mercy of his guide. We do not

know what path to take; we do not know what to do, and we must constantly depend upon your advice, upon your words of counsel, whether you really mean what you say or not.

If the Supreme Court had declared twenty years ago that Porto Rico was a regular territory of the United States instead of establishing, as it did, a distinction of so-called incorporation between Porto Rico and the other territories of the United States, with all its constitutional results, our position would have been made very definite and clear, and then we would have striven during these same twenty years to attain as soon as possible the complete status of statehood within this great union of sovereign States. As the situation is today, we do not know in what direction to strive; for the United States may ultimately decide for one thing or for another. Congress, on the other hand, has procrastinated and made this uncertainty more acute and intense, not only by deliberately abstaining from making any positive declaration as to the present or future status of Porto Rico, but also by establishing in Porto Rico a mixture of a territorial and colonial form of government, and extending to Porto Ricans the privilege of American citizenship. And in this way no one in the Island or the United States can tell with any degree of certainty what the permanent relations of Porto Rico and the United States will be in the future.

The general inference in this country in respect to this point is, insofar as I have been able to ascertain, that Porto Rico will sooner or later follow the same course as has been followed by all the other territories acquired by the United States in the past. To this seems to lend color the granting of American citizenship to Porto Ricans as the first step in that direction. But this is only a mere inference founded, as a rule, on no definite process of reasoning which would necessarily lead to that result. American citizenship is a thing entirely independent from the political status of the Island, as has been clearly shown in two Porto Rican cases recently decided by the Supreme Court.⁴

⁴ *The People of Porto Rico, et al, vs. Tapia, and the People of Porto Rico vs. Muratti*, 245 U. S. 639, decided *per curiam*.

Even as American citizens we continue to occupy today the same indefinite position as before. Our Island is no part of the United States, and there is no reason to suppose that it will ever be.

Occasionally one hears the opinion expressed that the American flag will never come down in the Island, and that Porto Rico will always be held as a colony or possession of the United States; and that in this sense our political status is right now perfectly well defined. In the same connection it is contended that such a political status is perfectly constitutional and well known and accepted in international law and practice; so that juridically as well as politically it might be said that the problem is already solved, and that the only thing which now remains is to extend to Porto Rico complete self government in an administrative sense without the interference of the federal government.

There is also the opinion that Porto Rico will be ultimately established as a free and independent sovereign state. It is said that the idea of perpetual colonialism is entirely repulsive to the American mind, that it cannot be conceived that a people who only yesterday shook off that form of government should today so easily adopt in respect to Porto Rico a policy involving a principle which they would not have applied to themselves.

But all these opinions have practically the same foundation as the solution of statehood. In my estimation, and so far as I can make out the situation, none of these opinions, whether in one direction or another can claim more real authority than the personal prestige of those who are bold enough to assume the rôle of prophets at this time, and therefore can not be given too much importance either way, for the reason that, as a rule, as already suggested, they are merely founded on personal impressions of the moment and, in consequence, lack that careful consideration and study which is in reality the thing that gives personal opinions their greatest value. In so far as the American people is concerned, I should say that save for a small group of men, mostly composed of prejudiced bureaucrats and officials or ex-officials of the American administration in Porto

Rico, who would like to see perpetuated the present order of things in the Island, and perhaps some rather impulsive members of Congress who do not hesitate to suggest the solution of independence as the logical one, and some other members of Congress connected with the committees in charge of Porto Rican affairs in both Houses of Congress who certainly are, as a rule, quite remiss in expressing any positive views as to the future for publication, probably because they they do not wish to commit themselves to any particular policy at this time, there is no intelligent public opinion in this country upon such an important and urgent national problem as the determination of the future relations which ought to exist between Porto Rico and the United States. The matter has been neglected so long that the people of this country have come to look upon Porto Rico as some sort of a little ward of the United States, receiving its protection and enjoying everything which American bounty and generosity can give away, without worrying about anything else.

But that very attitude of the American people is very harmful to us in more than one way. It hurts us collectively as a people, and in our individual life as men, as Porto Ricans, as American citizens. It hurts us in our conceptions of right; it hurts us in our pride, it hurts us in our interests. In twenty years of constant activity under the American flag, we have developed, as I said before, a long way beyond all expectations. We have done great credit to ourselves and to the United States. Without our collaboration, without our efforts, American rule in the Island might have been perhaps very successful, owing to the great capacity of the American people in matters of government; but the record would not have been so brilliant, and they would not feel so proud of it as they naturally do. There are, however, those who persist in believing that we are mere children, that we still need over our heads the rule of a school master who shall constantly tell us what to do in our local affairs; that somehow we are not as yet prepared to take upon our own shoulders the serious responsibilities of our own government, when as a matter of fact our record shows that the opposite is the truth.

If the true test of preparation of a people for self government is the attitude of that people towards law and order and the estabilization of governmental things, we certainly are better prepared than a good many so-called independent nations and even some of the states. In Porto Rico we do not have, we do not know, those organized subversions of the public peace, which are so characteristic in Central American countries in the form of armed revolutions and insurrections against their governments, and so peculiar in some of the states of the Union in the form of public lynchings, which are manifestations of popular disrespect towards the normal processes of law and order. In Porto Rico we do not approve of these things. In the practical exercise of self-government, in the measure which so far has been granted to us, we have learned a great deal in self-restraint; our officials, our political parties, our leaders and our people in general, have learned the lessons of tolerance, patience and mutual respect. And yet you still procrastinate, until the good work would seem to begin to spoil. The attitude of the American people on this important problem of what to do with Porto Rico can lead nowhere but to deep misunderstanding, ill feeling and unrest.

I should not like to appear as giving expression to sentiments of antagonism and resentment, nor to foster the impression that we have lost the least faith in the American people. My purpose is merely to show that there is a serious problem to deal with in Porto Rico; a problem which is really of deep national interest, more so, perhaps, than many others which engage their attention at this time. That problem ought to be solved as soon as possible. The people of Porto Rico are entitled to know and they ought to be told, as soon as possible, what it is that they must expect, so that they may adjust their life to that expectation. For this purpose, the people in this country should make up their mind and study seriously the different solution of this problem and choose that one which seems to them more in harmony with their interests and the equities of the situation. There is no doubt in my mind that the acquisition of Porto Rico from Spain was entirely justified from a

historical and moral point of view. But the maintenance of the present state of things in the Island is indeed something which cannot in any way be even excused, and must eventually hurt the cause of the United States in this hemisphere.

III

In so far as our political parties in the Island are concerned, they have formulated several solutions which, in a large measure, show how hopelessly divided public opinion is in the Island upon this important question, although, as already suggested, their division arises out of the uncertainty of the American people upon the matter. Thus there is a political party which has in its platform the solution of statehood for Porto Rico. This party, which is the so-called Republican Party, affiliated with the Republican Party of the United States, has consistently maintained for nearly twenty years that statehood is the only possible solution of the problem consistent with American principles and traditions, and with the best interests of the Island. As a matter of principle, it would accept independence rather than perpetual colonialism. Another political party, which is the Independentist Party, while not professedly anti-American, claims that the real aspiration of the Porto Rican people is to be constituted into a free and independent republic of their own, under a sort of a virtual protectorate after the fashion of Cuba, with such concessions by the Island in favor of the United States as may be deemed necessary by the two peoples in mutual accord, and such guarantees of independence and protection from the United States in favor of Porto Rico as may also be deemed necessary or advisable. There is lastly another party claiming to be the party of the majority in the Island, the so-called Unionist Party, which, while professing to stand for the ultimate independence of Porto Rico, would prefer to make haste slowly, and, for the time being, accept a solution of complete self government in an administrative sense, as a means of doing away with the present state of things.

I will not undertake to examine at this time the multitude of reasons which may be advanced in favor and against each one of these several solutions proposed by the Porto Rican parties from both a Porto Rican and an American point of view, for although that would be perfectly within the scope of this paper, yet as a practical proposition it would be impossible to do so for lack of space. I will say, however, that the acquisition of Porto Rico by the United States as a direct result of the Spanish American War, has given to that Island such a tremendous political importance in the Western Hemisphere that Congress would not be discharging its duty to the nation if it did not take advantage of the opportunity which Providence has thus placed in its hands to greatly improve the relations of this country with Latin America. It should be realized, as soon as possible, that the acquisition of Porto Rico is not, like the acquisition of the Virgin Islands, of little political concern to the Latin-American Republics. The Virgin Islands are more or less a series of little islands and keys with a population of about 35,000, only 3 per cent of which are whites, the rest being negroes, with a historical background foreign to that of the Latin-American republics. The population of those islands scarcely could be called a people. They are, besides, in an inferior state of civilization. Porto Rico is different. As I have already suggested, Porto Rico has a population of over a million and a quarter inhabitants, more than 62 per cent of which are whites. We are one of the peoples of Latin America. In fact, we have national aspirations as a people distinctly Porto Rican. It must follow, therefore, that however indifferent those republics may appear to our lot, their peoples and governments are surely watching with profound interest the gradual development of our relations with the United States. In Porto Rico then, there is for this country a golden opportunity to destroy prejudices and suspicions which have become historical, and to promote mutual confidence and friendship, and consequently, better relations between those republics and the United States.

The solutions offered by the political parties of Porto Rico may well be taken, in my opinion, as the starting point in the consideration of the problem, bearing however in mind that, in so far as the Porto Rican people are concerned, regardless of party politics, and save isolated cases of personal likes and dislikes for this or that solution, they all would, generally speaking, accept any one of those solutions which, aside from material advantages or benefits to be derived from each of them separately, would, no doubt, bring us assurance of future repose and contentment, as well as prestige and honor to the Island and its inhabitants. For this reason I believe that solution of the problem rests entirely with the United States. Of course a plebiscite to ascertain the will of the Porto Rican people might not be entirely amiss. I doubt, however, whether the political parties might not try to make capital out of it, with the result that even if the plebiscite was carried out in good faith and without fraud, violence or intimidation, nothing materially substantial might be gained by this extraordinary and unreliable process, since it would only show what everybody knows already, namely, that we are hopelessly divided as to these things. I think, on the contrary, that a better way would be to consult learned public opinion in the Island, in so far as the self determination of the Porto Rican people is concerned.

Personally, I believe that Porto Rico, as a whole and as a people, is entirely fit and prepared, socially, politically and economically, to assume and discharge the obligations and responsibilities of a self-governing people, whether as a state of this Union, an independent republic, or a completely autonomous commonwealth under the sovereignty of the United States, after the fashion of the British Dominions but more in harmony with the republican institutions of the United States. To my mind, the question is not therefore of preparation and fitness of the Porto Rican people for the task of governing themselves under any of those forms of government, and for this reason I would like to see that element entirely dropped from all intelligent discussion of the subject. To continue harping on this cord is

merely to imitate the old and discredited methods of Spain. That Spain should try to make us appear as a people wholly unprepared and incapable to manage our own affairs, is something which can surprise no one; for such was always the moral pretext advanced by colonizing nations for holding foreign territories and peoples under their domination and rule, and, besides, her very sovereignty and government in Porto Rico was really dependent on this assumption of a lack of preparation and incapacity on the part of the Porto Rican people. This is amply shown to be so by an examination of the diplomatic history of the relations of the United States with Spain in respect to Cuba as well as Porto Rico. But with the record made by Porto Rico during the last twenty years before our eyes, it would be idle and rank nonsense to talk of those things.

Some say that this record made by Porto Rico in this short period of time is not really creditable to Porto Ricans, but to the American officials who have been sent to the Island to occupy the highest and most lucrative positions in our government; but that is not so. The truth is that some of those officials have been really inspiring to Porto Ricans in their fervent desire to help our people in their titanic struggle to lift themselves to their present state of development. Those, no doubt, we honor and hold dear in our hearts. But others, fortunately few, of those same officials, who have been sent to occupy the highest and most lucrative positions in our government, have been an obnoxious hindrance and great obstacles to our development. It is in spite of those officials that we have made the honorable record of which we feel so proud during this last twenty years. For them, however, we have no resentment, but rather gratitude, for in their strange ways and behavior they have taught us their lesson which, undoubtedly, has made us wiser and will do us much good in the future.

IV

To approach the consideration of our subject from a proper angle, it seems to me that we must, in the first place, discard unjustifiable prejudices, and then examine the facts

in as cool and dispassionate a fashion as may be possible, from the standpoint of right and the situations of fact as well as of convenience for both Porto Rico and the United States, bearing in mind that the policy that may be eventually adopted in respect to Porto Rico will be not only a precedent which shall govern the action of the government in the future, in the gradual development of this nation, but will also be taken as an index by the South and Central American Republics of the real attitude of the United States towards them.

If the policy of the United States is of complete absorption of our people, which I seriously doubt very much, their suspicions of continental absorption by you will be in a way corroborated by your attitude. If, on the contrary, the policy of this country has an undoubted tendency to recognize, and to deal with us upon the recognition, that we are a people, with a God given right to pursue our own way of life, according to our own racial conceptions of culture and civilization; happy, contented, unafraid, in the management of our own government, the friends of the United States will always point out with pride to Porto Rico as the best proof of the real sentiments and aspirations of the American people in our Continent. It will then be corroborated by actual experience the American ideal which was expounded at different times and under different forms by Monroe, Lincoln, Roosevelt and Wilson, and which might be expressed by saying that: *"Every people ought to be permitted to govern themselves free from foreign interference, provided they live up to the standards established by the law of nations and the dictates of civilization."*

Now, if I may be permitted to say so, in my opinion, the solution of statehood is not a practical solution either from a Porto Rican or a purely American point of view. Historically, and as a matter of policy, the United States has always been opposed to the incorporation into the Union of noncontiguous territories upon an equal footing with the States. There are those who contend that politically it would be a mistake to incorporate a people historically and ethnologically, as well as geographically, entirely different

and separate from the people of the United States; a people having their own character, idiosyncrasies, racial temperament, mental processes and ideals, with practically no point of contact whatever with the character, idiosyncrasies, racial temperament, mental processes and ideals of the American people; a people who, leaving aside the mutual bonds of friendship and affection, is bound to the American people by no other ties than political and commercial ones; a people who could never be assimilated in the sense of casting aside, as a useless garment, their own make-up, and assume a new one identical to the American people's. There is no question that we are of a different constitution than the American people, and so we cannot think and feel as they do. But all this is perhaps a mooted question, and may turn out to be nothing but a mere prejudice, without any real foundation. On the other hand, the power of adaptation of our people may have a substantial bearing upon the matter.

It is true, however, that it would not be an easy task to crush in them all their heritage, aspirations and ideals by a process of forced Americanization and thus make them break entirely loose from their past, from their traditions, from the promptings of their very nature. There is no question that the complete Americanization of other Spanish territories has been possible in the past only because those territories were contiguous and practically unpeopled at the time of their acquisition. Porto Rico is overpopulated; it has a population of over one million and a quarter, or nearly an average of 340 inhabitants to the square mile. The American inhabitants of the Island do not exceed 3000 or 4000, and their number is constantly decreasing; so that their influence could not bring about a complete change in the character of the people as in some of the former Spanish territories. But all this when rightly viewed, is not an unsurmountable obstacle for the solution of statehood, because in New Mexico and Arizona, although there may be found entire communities where the people still speak nothing but the Spanish language, and live in the traditions and customs of their race, surrounded by everything Span-

ish, there are no signs there that should point out to a mistake in the incorporation of those territories as States of the Union.

And yet, I seriously doubt that the solution of statehood is at all practical or desirable for Porto Rico, above all because it seems to me that such a solution is not at heart desired by the people of the United States, at least for the time being, as an immediate solution of the problem to be applied now. It would be probably expected that Porto Rico should first pass through a probationary period of territorial condition, and that we should keep, for an indefinite length of time, three or four generations perhaps, knocking at the door to be permitted to enter the Union on an equal footing with the other states, as has been usually the practice in the past. But this would not be really a solution of the problem at all. Porto Rico is already prepared to be a state of the Union, and if such should be the solution given to the problem, it would have to be adopted in a very short time, so that it could benefit the present generations who are most deserving because of their successful efforts to bring Porto Rico to its present condition of development and capacity for self-government. On the other hand, the solution of statehood means a permanent and indissoluble relation which cannot be abandoned once it has been established between us; and therefore, if later on, for one cause or another, likely to arise in the resulting process of the complete absorption of our people in the national life of the United States, this solution should turn out to be injurious and even ruinous to us from the point of view of our own regional life as a Porto Rican people, there would be absolutely no means of remedying such a situation, unless there should come about some unconceivable change in the political structure of the nation. If such a situation should arrive, it seems to me, the union between Porto Rico and the United States would not mean greater strength or benefit for the nation, but it would rather be productive of weakness and detriment.

My doubts in reality do not arise from any fear whatsoever as to the good sense or absolute loyalty of the Porto

Rican people to the United States; nor that they may not love the American flag and institutions as their own. No; my doubts arise from the conviction I have that the spirit of race is sure to react sooner or later against any thing which may seem injurious or obnoxious to their self-determination in their progressive development as a people. I am sure in my mind of that reaction, and fear that it might show up when there is no effective remedy against it, after the condition of Statehood should bring into real conflict our regional interests with the general interests of the United States. I do not fear anything for the present, but I do fear for the future when our people should feel themselves tied forever, not merely to the great destiny of this great nation which eventually must be unavoidably ours, but tied to all American institutions, to all American laws, to all American practices of government, to all American turns in the political, economical and social life of the United States as a nation.

I am, therefore, of the opinion—and by it I do not intend to convince nor to support or attack anybody—that all attempts made along this line must necessarily result in failure. To endeavor, for instance; to change the language of Porto Ricans, to suppress what is Spanish in them, to make them thoroughly American, in disregard of their history, temperament and peculiarities of race, in disregard of the experience of humanity, seems to me must be condemned as unwise and unnecessary. I do not believe that any practical results could be attained by this solution of the problem. To be sure, Porto Ricans are fast learning the English language, but that is not the language of the home, of the community at large. That is the language of convenience, the language people are learning as a profitable accomplishment in their general education, and because that language—why should I not say it?—is being largely forced upon the people as a policy of rapid Americanization, which I consider rather premature until the American people shall determine what is ultimately to be done with Porto Rico. In my opinion, the most which can be obtained in reality is that the Porto Rican people shall become Ameri-

canized in the sense of having a profound love and veneration for the American flag and institutions and adopt the American point of view on questions of a national nature, and above all that the United States can always count on their complete loyalty, coöperation and friendship.

That is my opinion, and I express it with candor, not only as a Porto Rican, with the authority which the study which I have made of these things gives me to speak, but also as an American citizen and with all the love and loyalty which I owe to this great nation, not only because of my citizenship, but also because I have here many things which are very near to my heart, and because I wish to see this problem of what to do with Porto Rico solved in a just and satisfactory manner both to my own people and to this country where my wife and children were born.

I firmly believe that in attempting a solution to this problem we must take into consideration many questions of a national and international nature, which must alter or modify not only our impressions of the moment, but also our most cherished ideals and aspirations, if we are to regard as paramount the highest interests of both Porto Rico and the United States.

It is a well known fact that in dealing with human nature, it is better to let the processes of self-determination shape the course of human conduct. The American people can very well harmonize their own interests with ours, without destroying our personality, without destroying us as a people. We are more than willing, we are eager, to collaborate with the United States; we will serve the American people better if they follow this course than otherwise. We may be the point of contact of the two great races which populate our great continent; we may be the index of a greater and true Pan-American solidarity; we may be, as it were, the interpreter which puts into communication and carries intelligence between two different peoples, destroying misunderstandings and unfounded prejudices and animosities and causes of suspicion and distrust among them.

But if, in spite of these warnings of moderation and good sense, it should be considered wise or necessary that we

should enter the Union as a full fledged state thereof, the Porto Rican people are entitled to know it as soon as possible, so that they may adjust their collective and individual life to that finality; and above all, no fear should be entertained that we might reject such a decision. On the contrary, we shall rejoice at and feel very proud of it, because in that manner the American people shall have bestowed upon us a very great honor which we shall appreciate, and then we shall try to do our best not to disappoint them in their expectations.

On the other hand, if it should be determined not to make us a state of the Union, nor to establish our people as an independent government, at least for the time being, but preferred that the American flag shall continue to wave in Porto Rico as the symbol of the sovereignty of the United States over the Island, leaving to future generations the complete solution of the problem, the people of Porto Rico should be told of it as soon as possible; and in the meantime we should be given the right to govern ourselves fully and with as little interference from the United States in our local affairs as possible. We should be given the right to choose our own government officials, so that they may be directly responsible to our people; and in national matters which must affect our collective life as a people, the United States should not impose the laws of this country upon us as a burden; we should be given the opportunity to pass upon those laws in their application to our Island; we should be given a voice in the initiation and acceptance of such of the treaties of this country as must affect us; we should be given freedom of action, we should be given liberty, and the opportunity to make good and grow to be a prosperous, respected, happy and contented people, not by dictation, but by generosity, by a noble guidance, by the sense of a square deal, by the recognition of the self evident proposition that we are a people fully prepared to assume the full responsibilities of our own government.

In this manner the Porto Rican people shall be able to await confidently and contented the final determination of the political status of their Island, with the complete assur-

ance that whatever that solution may be, it shall not be inspired in selfish motives of national self aggrandizement of the United States, in disregard of the legitimate aspirations of the Porto Ricans. If this is done, the great destiny of this great nation in our continent will be fulfilled perhaps a century earlier.

I will not finish these remarks without stating that I firmly believe in the great sense of justice and fairness of the American people, and although public opinion has not as yet crystallized in this country into any possible form of solution of the Porto Rican problem, I have an inborn conviction, which I have seen corroborated in my general intercourse with the people here, that Americans, as a rule take a good deal of interest in Porto Rico, and wish it nothing but happiness, prosperity and progressive development. In this sense, I am sure Porto Ricans reciprocate with the United States, and just let me say this: As a dependency, as a piece of territorial property, as an unincorporated territory, Porto Rico has always done honor to the United States, and whatever the ultimate solution of the Porto Rican problem may be, the American people may rest assured that Porto Rico will always love and do honor to the United States.